

FINNEGAN, HENDERSON,
FARABOW, GARRETT,
& DUNNER, L.L.P.
1300 I STREET, N. W.
WASHINGTON, DC 20005
202-408-4000

Please grant any extensions of time required to enter this response and charge any required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: February 8, 2002

By: Charles E. Van Horn
Charles E. Van Horn
Reg. No. 40,266



PATENT
Customer No. 22,852
Attorney Docket No. 04853.0048-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Sigeyuki YOKOYAMA *et al.*

Application No.: 09/697,186

Filed: October 27, 2000

For: A MUTANT KANAMYCIN
NUCLEOTIDYLTRANSFERASE
AND A METHOD OF SCREENING
THERMOPHILIC BACTERIA
USING THE SAME

Group Art Unit: 1652

Examiner: Kathleen Kerr

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

STATEMENT TO SUPPORT FILING AND SUBMISSION
IN ACCORDANCE WITH 37 C.F.R. §§ 1.821-1.825

In connection with a Sequence Listing submitted concurrently herewith, the undersigned hereby states that:

1. The submission, filed herewith in accordance with 37 C.F.R. § 1.821(g), does not include new matter;

2. The content of the attached paper copy and the attached computer readable copy of the Sequence Listing, submitted in accordance with 37 C.F.R. § 1.821(c) and (e), respectively, are the same; and

RECEIVED
FEB 13 2002
TECH CENTER 1600/2900

3. All statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further; that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent resulting therefrom.

If any fees are necessary in connection with this Sequence Listing submission, please charge them to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: February 8, 2002

By: Charles E. Van Horn
Charles E. Van Horn
Reg. No. 40,266



UNITED STATES PATENT AND TRADEMARK OFFICE

FEB 08 2002

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/697,186	10/27/2000	Sigeyuki Yokoyama	04853.0048	4446

7590

01/09/2002

Finnegan Henderson Farabow Garrett & Dunner LLP
1300 I Street N W
Washington, DC 20005-3315

EXAMINER

KERR, KATHLEEN M

ART UNIT

PAPER NUMBER

1652

DATE MAILED: 01/09/2002

6

Please find below and/or attached an Office communication concerning this application or proceeding.

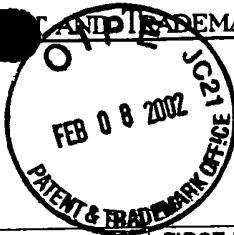
RECEIVED

JAN 14 2002

FINNEGAN, HENDERSON, FARABOW,
GARRETT AND DUNNER, LLP

RECEIVED
FEB 13 2002
TECH CENTER 1600/2900

01-14-02 JBF/ERD
4853.0048
02-09-02 w/efr
seq. list.
pma
✓ 1-14-02 1 mon
w



APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR /	ATTORNEY DOCKET NO.
-----------------	-------------	------------------------	---------------------

EXAMINER

ART UNIT	PAPER
----------	-------

DATE MAILED:

RECEIVED
FEB 13 2002
TECH CENTER 1600/2000

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents

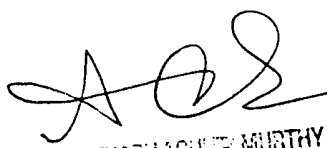
Sequence Compliance Requirements:

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 C.F.R. § 1.821-1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures. Applicant must comply with the requirements of the sequence rules (37 C.F.R. § 1.821 - 1.825) before the application can be examined under 35 U.S.C. § 131 and 132.

APPLICANT IS GIVEN **ONE MONTH** FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 C.F.R. § 1.821-1.825. Failure to comply with these requirements will result in **ABANDONMENT** of the application under 37 C.F.R. § 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. § 1.136. In no case may an applicant extend the period for response beyond the one month statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

Additional Examiner Notes:

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Kathleen Kerr whose telephone number is (703) 305-1229.


PONNATHUR ACHUTH MURTHY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER

Notice to Comply

Application No.

09/697,186

Examiner

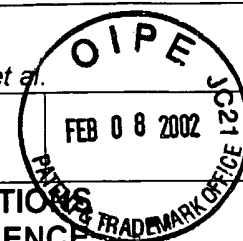
Kathleen Kerr

Applicant(s)

Yokoyama et al.

Art Unit

1652



NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 C.F.R. § 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. § 1.821-1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. § 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. § 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. § 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. § 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. § 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. § 1.821(e).
- ☐ 7. Other: All sequences in the specification, particularly the claims, must be identified by SEQ ID NOs.

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☐ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. § 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

PatentIn Software Program Support

Technical Assistance.....703-287-0200

To Purchase PatentIn Software.....703-306-2600

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY

